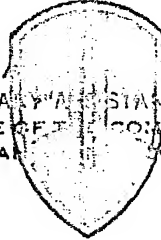


HEADQUARTERS
UNITED STATES MILITARY ASSISTANCE COMMAND, VIETNAM
OFFICE OF THE COMMANDER
APO SAN FRANCISCO 96222



27 June 1968

MEMORANDUM FOR THE RECORD

SUBJECT: Anti-Corruption Agencies - Malaysia and Singapore

1. In view of the extreme importance of mounting a campaign to control corruption in Vietnam, I took the opportunity during a recent trip to Malaysia and Singapore to inquire into the subject there.
2. Each country has an active Anti-Corruption Agency and I gathered that official corruption is kept under control and does not presently constitute a serious menace to the development of those countries. In Singapore the effort has particular impact since it is pushed by Lee Kuan Yew, Prime Minister, a particularly capable and strong Chief of State.
3. In Kuala Lumpur I visited the Anti-Corruption Agency and talked at some length with its Director, Mr. Harun bin Hashim, a young and vigorous official.
4. The Agency has an Investigations Division, which has investigators stationed in the various States. These men are temporarily moved around as the workload in the various States requires.
5. Based on the initial investigation, administrative action may be taken. A report and recommendation may be sent to the Public Service Commission, which has the power to discharge a government employee. The accused is entitled to a hearing and to have counsel. (Certain public services, e.g., the Judiciary and the Railroads, have their own Commission, which disciplines its service.)
6. If the evidence is deemed sufficient to prove a violation of the anti-corruption laws, the case will be referred to the regular civilian courts for prosecution. Mr. Harun bin Hashim is a Deputy Prosecutor and hence may himself sign the Consent to Prosecute.

- 2 -

7. Under the Preventive Division is an Administrative Branch, which maintains files and compiles information, and a Research Branch, which conducts post mortem on cases and evolves proposals for revision of laws and regulations, for reorganizations, and for other measures to control corruption.

8. Anti-corruption legislation in Malaysia is fairly comprehensive, especially for a young country, and includes the expected prohibitions. In addition, government employees must declare their wealth. They may not engage in outside employment or in political activity. Government salaries are reasonably adequate. The "Suffian Report", recently submitted by a well known judge, recommends substantial pay increases, to be met by reducing the government rolls through attrition.

9. Trials of corruption cases are held in the State where the offense was committed. Maximum punishment is five years imprisonment and/or M\$10,000 fine (for government employees) and seven years and/or M\$10,000 for elective officials.

10. It is a crime in Malaysia not to report a bribery attempt. Reporting of corruption offenses is made easy. A letter addressed simply to P.O. Box 6000 will reach the Investigations Division if mailed (without postage) anywhere in the country. The Investigations Division also has a known telephone number, which is the same in all States and cities. The anti-corruption campaign is well publicized.

Legal Counsel

STAT